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**** E-filed January 12, 2012 ****

8
9 Attorneys for Plaintiff and Cross-Defendant
UTILITY SERVICE COMPANY, INC.

10
11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

13
14 UTILITY SERVICE COMPANY, INC., a
Georgia corporation,

15 Plaintiff,

16 v.

17 CITY OF SANTA CRUZ,

18 Defendant

19 CITY OF SANTA CRUZ,

20 Cross-Complainant,

21 v.

22 UTILITY SERVICE COMPANY, INC.,

23 Cross-Defendant.

Case No. CV11-0739 HR

**STIPULATION TO CONTINUE
TRIAL DATE AND ~~(PROPOSED)~~
ORDER**

(MODIFIED BY THE COURT)

1 Plaintiff and Cross-defendant Utility Service Company, Inc. ("Utility")
2 and defendant and Cross-complainant City of Santa Cruz ("City"), by and through
3 their respective counsel of record, hereby stipulate to continue the April 2, 2012 trial
4 of this action as follows:

5
6 WHEREAS, Utility and the City believe they are close to a settlement
7 of all disputes herein;

8
9 WHEREAS, Utility and the City must each go through an approval
10 process for any settlement to be finalized;

11
12 WHEREAS, neither party wishes to incur any unnecessary additional
13 time, fees and waste judicial resources if the matter is settled; and

14
15 WHEREAS, Utility and the City agree that a short, thirty (30) day
16 continuation of the trial of this action will allow the parties to engage in a good faith
17 attempt to settle all of their disputes.

18
19 NOW, THEREFORE, Utility and the City stipulate as follows:

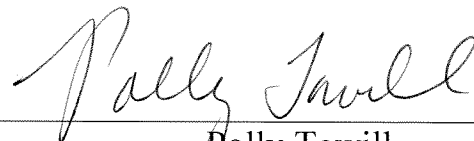
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21 1. With the Court's approval, the trial in this action will be continued to
22 ~~May 2, 2012, or at the convenience of the Court;~~
23 ~~May 7, 2012 and the Pretrial Conference will be continued to May 1, 2012;~~

1 2. ~~All applicable~~ ^{subsequent} court deadlines; including the time to file motions for
2 summary judgment, will be extended by thirty (30) days; and
3

4 3. ~~All discovery deadlines previously agreed upon by the parties, will be~~
5 ~~extended by thirty (30) days.~~ **Discovery is closed.**
6


7 Dated: January 9, 2012
8

SHEPPARD, MULLIN, RICHTER & HAMPTON
LLP

10
11 By 
12 Polly Towill

13 Attorneys for Plaintiff and Cross-defendant
14 UTILITY SERVICE COMPANY, INC.
15

16 Dated: January 9, 2012
17

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19
20 By 
21 George Kovacevich PT

22 Attorneys for Defendant and
23 Cross-complainant
24 CITY OF SANTA CRUZ
25
26
27
28

ORDER

IT IS SO ORDERED.

DATED: January 12, 2012


The Honorable Howard R. Lloyd
Magistrate Judge of the United District Court, Northern District